

Message

From: Beck, Nancy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=168ECB5184AC44DE95A913297F353745-BECK, NANCY]
Sent: 12/10/2017 7:46:05 PM
To: Morris, Jeff [Morris.Jeff@epa.gov]
Subject: Re: SEPW Inquiry on LCPFAC SNUR

Jeff,
Sounds good. If it's not clear to you it should not move forward to the IO and FAR.
Thanks for taking a close look.
Nancy.

Nancy B. Beck, Ph.D., DABT
Deputy Assistant Administrator, OCSPP
P: 202-564-1273
M: **Personal Phone / Ex. 6**
Beck.Nancy@epa.gov

On Dec 10, 2017, at 1:52 PM, Morris, Jeff <Morris.Jeff@epa.gov> wrote:

I've read the draft and have concerns about sending it into FAR until two things are addressed.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

So I need to talk with folks this week to see if it's really ready to go into FAR.

From: Kaiser, Sven-Erik
Sent: Tuesday, December 05, 2017 5:27 PM
To: Hanley, Mary <Hanley.Mary@epa.gov>; Keller, Kaitlin <keller.kaitlin@epa.gov>; Schmit, Ryan <schmit.ryan@epa.gov>; Morris, Jeff <Morris.Jeff@epa.gov>; Scheifele, Hans <Scheifele.Hans@epa.gov>; Pierce, Alison <Pierce.Alison@epa.gov>; Mottley, Tanya <Mottley.Tanya@epa.gov>; Ortiz, Julia <Ortiz.Julia@epa.gov>
Subject: SEPW Inquiry on LCPFAC SNUR

LCPFSC Team- heads up on a renewed request from Senate EPW on the LCPFSC SNUR. Please let me know our response and if any questions. Thanks,
Sven

From: "Freedhoff, Michal (EPW)" <Michal_Freedhoff@epw.senate.gov>
Date: December 5, 2017 at 4:50:42 PM EST
To: "Kaiser, Sven-Erik" <Kaiser.Sven-Erik@epa.gov>
Subject: RE: SEPW Question on LCPFAC SNUR

Also checking in on this

Michal Ilana Freedhoff, Ph.D.
Director of Oversight
Committee on Environment and Public Works Democratic Staff

From: Kaiser, Sven-Erik [<mailto:Kaiser.Sven-Erik@epa.gov>]
Sent: Wednesday, July 26, 2017 10:15 AM
To: Freedhoff, Michal (EPW) <Michal_Freedhoff@epw.senate.gov>
Subject: SEPW Question on LCPFAC SNUR

Michal – thanks for the inquiry on the long-chain perfluoroalkyl carboxylate (LCPFAC) significant new use rule (SNUR). EPA is currently in the process of considering options of how to approach this SNUR. I expect to be able to provide a more definite update in a few weeks. Please let me know if any additional questions. Best,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Freedhoff, Michal (EPW) [mailto:Michal_Freedhoff@epw.senate.gov]
Sent: Friday, July 14, 2017 2:14 PM
To: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Subject: RE: Sen. Markey TSCA TA additional request on PFOA SNUR

Sven – what is the status of the LCPFAC SNUR?

Thanks
michal

Michal Ilana Freedhoff, Ph.D.
Director of Oversight
Committee on Environment and Public Works Democratic Staff

From: Kaiser, Sven-Erik [<mailto:Kaiser.Sven-Erik@epa.gov>]
Sent: Sunday, April 3, 2016 5:40 PM
To: Freedhoff, Michal (Markey) <Michal_Freedhoff@markey.senate.gov>
Cc: Black, Jonathan (Tom Udall) <Jonathan_Black@tomudall.senate.gov>; Deveny, Adrian (Merkley) <Adrian_Deveny@merkley.senate.gov>
Subject: Re: Sen. Markey TSCA TA additional request on PFOA SNUR

Michal,
This responds to the additional TA request on PFOA SNUR.

EPA believes the answer is no to both questions. Please let me know if any additional questions. Thanks,
Sven

Given the obvious and numerous manners in which EPA could find that there is a "reasonable potential for exposure to the chemical substance" through an article or category of articles, does EPA believe the article consideration language in senate 5 could impede it's development of this SNUR?

EPA Response: No

I understand the language provides a litigation pathway for those who might not like what you do, but does it provide a barrier to what you might actually be able to TRY to do?

EPA Response: No

On Apr 3, 2016, at 2:46 PM, Freedhoff, Michal (Markey)
<Michal_Freedhoff@markey.senate.gov> wrote:

I am assuming that if LCPFAC chemicals are similar to PFOA, that their uses in articles (even if there are no ongoing uses) might also be reasonably foreseen by EPA to be similar - non-stick cookware, coatings for medical products, coatings for floors, clothing, paper boxes/bags used for food, etc. Given the obvious and numerous manners in which EPA could find that there is a "reasonable potential for exposure to the chemical substance" through an article or category of articles, does EPA believe the article consideration language in senate 5 could impede it's development of this SNUR? I understand the language provides a litigation pathway for those who might not like what you do, but does it provide a barrier to what you might actually be able to TRY to do?

Thx

Michal Ilana Freedhoff, Ph.D.
Director of Oversight and Investigations
Office of Senator Edward J. Markey (D-MA)

From: Kaiser, Sven-Erik
Sent: Sunday, April 3, 2016 2:19 PM
To: Freedhoff, Michal (Markey); Black, Jonathan (Tom Udall); Deveny, Adrian (Merkley)
Subject: Sen. Markey TSCA TA request on PFOA SNUR

Michal,
This responds to the TA request on PFOA. Please let me know if any questions.
Thanks,
Sven

Is there a PFOA SNUR in the works that relates to articles?

Not PFOA per se, but for related chemicals, yes. In January 2015 EPA proposed a SNUR for long-chain perfluoroalkyl carboxylate (LCPFAC) chemical substances that would designate as a significant new use manufacturing (including importing) or processing of an identified subset of LCPFAC chemical substances for any use that will not be ongoing after December 31, 2015, and all other LCPFAC chemicals substances for which there are currently no ongoing uses. For this SNUR, EPA is also proposing to make inapplicable the exemption for persons who import LCPFAC chemical substances as part of articles.

I thought PFOA was grandfathered onto the inventory?

Yes, PFOA was included on the original TSCA Inventory.

From: "Freedhoff, Michal (Markey)" <Michal_Freedhoff@markey.senate.gov>
Date: March 29, 2016 at 3:29:26 PM EDT
To: "Kaiser, Sven-Erik" <Kaiser.Sven-Erik@epa.gov>
Cc: "Black, Jonathan (Tom Udall)" <Jonathan_Black@tomudall.senate.gov>, "Deveny, Adrian (Merkley)" <Adrian_Deveny@merkle.senate.gov>
Subject: PFOA SNUR?

Sven

Is there a PFOA SNUR in the works that relates to articles? I thought PFOA was grandfathered onto the inventory?

Thx
M

Michal Ilana Freedhoff, Ph.D.
Director of Oversight and Investigations
Office of Senator Edward J. Markey (D-MA)